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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,503	12/05/2003	Andrei Obrea	F-758	1959

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EXAMINER	
BASS, JON M	

ART UNIT	PAPER NUMBER
3639	

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/729,503	ANDREI OBREA	
	Examiner	Art Unit	
	Jon Bass	3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Status Of Claims

1. Claims 1-16 are pending in this application. Claims 1-16 have been examined.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US Publication No: 2003/0101143 A1) to Montgomery et al.

As Per Claim 1:

Montgomery teaches a method comprising:

- determining that a first expected observation event has not occurred for a first mail piece, [{page 5, 0034} dimensional

barcodes are scanned, the scanning is normal processing that implements tracking of mail pieces, thus any duplicates would indicate fraud];

- determining that a second expected observation event has occurred for a second mail piece, [{page 5, 0034}, comparison between the tracking I.D. would reveal discrepancy and possible fraud]; and

- Montgomery fails to explicitly teach providing an alarm indication with respect to the first mail piece based at least in part on non-occurrence of the first expected observation event and on occurrence of the second expected observation event.

However Montgomery et al teaches in one particular embodiment, the packages bearing a postage indicium have this postage indicium scanned, the tracking ID within the unique postage indicium can be compared in a computer operated by the postal authority to the tracking ID's in all other scanned and recorded postage indicia to ensure that the tracking ID is indeed unique and has not been duplicated on page 5, 0033. This suggests that a verification process has been completed. If there were an error detected or copy fraud attempted the verification process would indicate the error has occurred. Therefore, because these two functions are recognized as

equivalent at the time the invention was made; one of ordinary skill in the art would have found it obvious to substitute the verification process for the alarm indication, with the motivation of preventing fraudulent activities based on error detected or duplicate data on the mail pieces.

As Per Claim 2:

Montgomery teaches a fraud would be detected by the delivery scans of the tracking I.D. (on the mail item) performed by the postal authority].

Montgomery doesn't explicitly discloses

- simultaneously delivering the first and second mail pieces to a postal authority

However Montgomery mentions on page 5, 0036, that fraud would be detected at the postal authority. This suggests that the verification process is being done at the postal authority. The mail pieces are stationed at the postal authority facility so that eliminates the need to deliver the first and second mail pieces to the postal authority. Therefore, because these two functions are recognized as equivalent at the time the invention was made; one of ordinary skill in the art would have found it obvious to substitute delivering the mail pieces to the postal authority with detecting the fraud within the postal authority

facility, with motivation of eliminating the delivery of the first and second mail pieces.

As Per Claim 3:

Montgomery teaches the method wherein the first mail piece exhibits a first postal code to direct delivery via a first post office and the second mail piece exhibits a second postal code to direct delivery via the first post office, [{page 5, 0036}, receiving a plurality of mail pieces, "each" carrying validating postage indicium].

As Per Claim 4:

Montgomery teaches the method wherein the first and second postal codes are identical to each other, [{page 5, 0038}, the mail piece further carries an expected representation of the same tracking I.D.].

As Per Claim 5:

Montgomery teaches the method wherein each of the first and second postal codes is indicated as a POSTNET barcode, [{page 1, 0004}, the postage indicium comprises a two dimensional barcode, POSTNET bar-code located beneath the destination address].

As Per Claim 6:

Montgomery teaches the method wherein each of the first and second mail pieces exhibits a respective PLANET barcode, [{page 1, 0004}, the postage indicium comprises a two dimensional barcode, POSTNET bar-code located beneath the destination address].

As Per Claim 7:

Montgomery teaches the method wherein each of the first and second postal codes is indicated as a POSTNET barcode, [{page 1, 0004}, the postage indicium comprises a two dimensional barcode, POSTNET bar-code located beneath the destination address].

As Per Claim 8:

Montgomery teaches the method wherein each of the first and second mail pieces exhibits a PLANET barcode, [{page 1, 0004}, the postage indicium comprises a two dimensional barcode, POSTNET bar-code located beneath the destination address].

As Per Claim 9:

Montgomery teaches the method wherein the first mail piece includes a credit or debit card and the second mail piece does

not include a credit or debit card, [{page 5, 0035}, the unique tracking I.D. can contain a number of items, such as e.g. indicia version number algorithm identification certificate serial number etc.]

As Per Claim 10:

Montgomery teaches the method wherein the second mail piece has an appearance that is substantially different from an appearance of the first mail piece, [{page 5, 0034}, packages would have different tracking I.D.]

As Per Claim 11:

Montgomery teaches a mail piece tracking system, comprising:

first means for determining that a first expected observation event has not occurred for a first mail piece, [{page 5, 0034} dimensional barcodes are scanned, the scanning is normal processing that implements tracking of mail pieces, thus any duplicates would indicate fraud];

second means for determining that a second expected observation event has occurred for a second mail piece, [{page 5, 0034}, comparison between the tracking I.D. would reveal discrepancy and possible fraud];

However Montgomery et al teaches in one particular embodiment, the packages bearing a postage indicium have this postage indicium scanned, the tracking ID within the unique postage indicium can be compared in a computer operated by the postal authority to the tracking ID's in all other scanned and recorded postage indicia to ensure that the tracking ID is indeed unique and has not been duplicated on page 5, 0033. This suggests that a verification process has been completed. If there were an error detected or copy fraud attempted the verification process would indicate the error has occurred. Therefore, because these two functions are recognized as equivalent at the time the invention was made; one of ordinary skill in the art would have found it obvious to substitute the verification process for the alarm indication, with the motivation of preventing fraudulent activities based on error detected or duplicate data on the mail pieces.

As Per Claim 12:

Montgomery teaches the method wherein an observation event database for storing observation event information;

a mailing information database for storing information indicative of delivery of the first and second mail pieces to a

postal authority, [{page 7, 0044}, tracking I.D. stored in database]; and

a historical information database for storing information indicative of a sequence of expected observation events for the first and second mail pieces, [{page 7, 0044}, tracking I.D. stored in database];

the first and second means being operatively coupled to the observation event database, to the mailing information database and to the historical information database, [{page 7, 0044}, tracking I.D. stored in database].

As Per Claim 13:

Montgomery teaches the method wherein the mail piece tracking system further comprising:

- a processor programmed to constitute at least part of both the first and second means, [{page 6, 0044}, master tracking computer system, master tracking system can be configured for transmitting the tracking I.D.].

As Per Claim 14:

Montogermy teaches a mail piece tracking system, comprising:

- a processor, [{page 6, 0044}, master tracking computer system];

- a storage device operatively coupled to the processor and storing a program to control the processor to, [{page 7, 0045}, database]:

- determine that a first expected observation event has not occurred for a first mail piece, [{page 5, 0034} dimensional barcodes are scanned, the scanning is normal processing that implements tracking of mail pieces, thus any duplicates would indicate fraud];

- determine that a second expected observation event has occurred for a second mail piece, [{page 5, 0034}, comparison between the tracking I.D. would reveal discrepancy and possible fraud; and

- Montgomery fails to explicitly teach providing an alarm indication with respect to the first mail piece based at least in part on non-occurrence of the first expected observation event and on occurrence of the second expected observation event.

However Montgomery et al teaches in one particular embodiment, the packages bearing a postage indicium have this postage indicium scanned, the tracking ID within the unique postage indicium can be compared in a computer operated by the

postal authority to the tracking ID's in all other scanned and recorded postage indicia to ensure that the tracking ID is indeed unique and has not been duplicated on page 5, 0033. This suggests that a verification process has been completed. If there were an error detected or copy fraud attempted the verification process would indicate the error has occurred. Therefore, because these two functions are recognized as equivalent at the time the invention was made; one of ordinary skill in the art would have found it obvious to substitute the verification process for the alarm indication, with the motivation of preventing fraudulent activities based on error detected or duplicate data on the mail pieces.

As Per Claim 15:

Montgomery teaches the mail piece tracking system wherein the storage device further stores:

- an observation event database for storing observation event information, [{page 6, 0044}, master tracking computer system];

- a mailing information database for storing information indicative of delivery of the first and second mail pieces to a postal authority[{page 6, 0044}, master tracking computer system]; and

- a historical information database for storing information indicative of a sequence of expected observation events for the first and second mail pieces, [{page 6, 0044}, master tracking computer system].

As Per Claim 16:

Montorgemy teaches an article of manufacture comprising:

a computer usable medium having computer readable program code means embodied therein for tracking a first mail piece, the computer readable program code means in said article of manufacture comprising, [{page 6, 0044}, master tracking computer system]

computer readable program code means for causing a computer to determine that a first expected observation event has not occurred for a first mail piece [{page 5, 0034} dimensional barcodes are scanned, the scanning is normal processing that implements tracking of mail pieces, thus any duplicates would indicate fraud]

computer readable program code means for causing the computer to determine that a second expected observation event has occurred for a second mail piece, [{page 5, 0034}, comparison between the tracking I.D. would reveal discrepancy and possible fraud]; and

- Montgomery fails to explicitly teach providing an alarm indication with respect to the first mail piece based at least in part on non-occurrence of the first expected observation event and on occurrence of the second expected observation event.

However Montgomery et al teaches in one particular embodiment, the packages bearing a postage indicium have this postage indicium scanned, the tracking ID within the unique postage indicium can be compared in a computer operated by the postal authority to the tracking ID's in all other scanned and recorded postage indicia to ensure that the tracking ID is indeed unique and has not been duplicated on page 5, 0033. This suggests that a verification process has been completed. If there were an error detected or copy fraud attempted the verification process would indicate the error has occurred. Therefore, because these two functions are recognized as equivalent at the time the invention was made; one of ordinary skill in the art would have found it obvious to substitute the verification process for the alarm indication, with the motivation of preventing fraudulent activities based on error detected or duplicate data on the mail pieces.

Conclusion

Any concerns in regard to this communication, the examiner **Jon Bass** can be reached at **(571) 272-6905** between the hours of **9-6pm Monday through Friday**. The fax number for the establishment where the application is being process is **(571) 273-8300**.

If an attempt to reach the examiner is unsuccessful for any reason, the examiner's immediate supervisor, **John Hayes** can be reached at **(571) 272-6708**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-271-9197 (toll free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/O Technology Center 3600

Washington, D.C. 20231

JOHN W. HAYES
SUPERVISORY PATENT EXAMINER